

REMARKS

I. THE STATUS OF THE CLAIMS

Claims 1-21 are pending. Claims 8-21 are withdrawn. In response to the Office's request, a claim set with proper numbering is provided herein.

II. THE SPECIFICATION

The specification is amended to reference the parent application.

III. THE ABSTRACT

The Abstract is amended in response to the Office's request.

IV. THE CLAIM OBJECTIONS

The claims are amended to obviate any basis for the objection thereto.

V. THE 35 U.S.C. § 112, FIRST PARAGRAPH, REJECTIONS

The Office Action rejects claims 1-3 under 35 U.S.C. § 112, first paragraph. In response, claims 1-3 are amended to obviate any basis for the rejection thereof under 35 U.S.C. § 112, first paragraph. Reconsideration and withdrawal of the rejection of claims 1-3 under 35 U.S.C. § 112, first paragraph, are respectfully requested.

VI. THE 35 U.S.C. § 102 REJECTIONS

The Office Action rejects claim 1 under 35 U.S.C. § 102 as being anticipated by WO9824921 to Jalkanen et al. (1998). In response, claim 1 is amended to recite a sequence comprising amino acids 1 to 9 of SEQ ID NO:2. Reconsideration and withdrawal of the rejection of 1 under 35 U.S.C. § 102 as being anticipated by Jalkanen et al. are respectfully requested.

The Office Action rejects claim 2 under 35 U.S.C. § 102 as being anticipated by EST Database Accession No. BG548488 to Strausberg et al. (2001). In response, claim 2 is amended to recite at least 30 contiguous nucleotides of nucleotides 1 to 1038 of SEQ ID NO:1. Reconsideration and withdrawal of the rejection of 2 under 35 U.S.C. § 102 as being anticipated by Strausberg et al. are respectfully requested.

VII. CONCLUSION

Early consideration and prompt allowance of the pending claims are respectfully requested. Should the Office require anything further, it is invited to contact Applicants' representative at the telephone number listed below.

Respectfully submitted,

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By: _____

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